

§ 934.15 Approval of North Dakota regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these

amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

| Original amendment submission date | Date of final publication | Citation/description |
|------------------------------------|-------------------------------------|--|
| July 30, 1982 | February 9, 1983, November 9, 1983. | NDCC Chapter 38–14.1; subsection 5 of § 38–14.1–02, definitions of “extended mining plan,” “performance bond,” 38–14.1–03; subsection 3 of § 38–14.1–07, 13; subdivision “u” of subsection 1 of § 38–14.1–14; subdivision “n” of subsection 2 of § 38–14.1–14; § 38–14.15; subsection 3 of § 38–14.1–20; subsections 17, 18 of § 38–14.1–24; subsection 4 of § 38–14.1–30; § 38–14.1–38; Chapter 38–12.1; subdivision b of § 1 of § 38–12.1–04; Chapter 38–18; subsection 3 of § 38–18–05, definition of “mineral developer,” subsection 6 of § 38–18–05, definition of “mineral owner,” subsection 10 of § 38–18–05, definition of “surface owner,” subsection 3 of § 38–18–06; § 38–18–07; NDAC 69–05.2, Chapter 69–05.2–01, 05 through 19, 21, 22, 23, 26; NDCC § 38.12.1–03. |
| February 2, 1984 | July 19, 1984 | NDAC §§ 38–14–1.02(33)(a), 04.1, .2, .3, 13(1)(b), 24(1)(1); §§ 69–05.2–05–03, 69–05.2–09–18, 69–05.2–13–12.1 through .6, 69–05.2–16–04. |
| February 27, 1984 | January 3, 1985 | NDAC §§ 69–05.2–01–02, definition of “blaster” and renumbering of §; 69–05.2–17–01; 69–05.2–31. |
| June 18, 1985 | February 18, 1986 .. | NDCC 38–14.1–04.2, .3, –7, –10, –14, –21, –30, –33; NDAC 69–05.2–04–01, –06–02, –08–03, –09–02, –08, –09, –10–03, –16–09. |
| May 30, 1986 | October 21, 1986 ... | NDAC 69–05.2–01–02 (11), (12), definitions “coal preparation,” “coal preparation plant,” “coal processing plant,” 08–05(2)(c)(5), –09–19, –13–13, –15–01, –02, –03(2), –04, –16–04(1)(b), –09(22), –15–01, –21–03. |
| September 8, 1986 ... | December 9, 1986 .. | NDAC 69–05.2–12–20. |
| April 3, 1987 | November 16, 1987 | NDCC 38–14.1–16(2), (7), –17(7). |
| February 10, 1987 | February 2, 1988 | NDAC 69–05.2–12, –13–04, –23. |
| June 1, 1988 | March 10, 1989 | Amendment X, “Standards for Evaluation of Revegetation Success and Recommended Procedures for Pre-and Post- mining Vegetation Assessments”. |
| April 11, 1989 | August 4, 1989 | NDCC 38–14.1–37, –39. |
| November 1, 1988 | January 19, 1990 ... | NDAC 69–05.2, 2–01 through –31. |
| November 20, 1990 .. | January 9, 1992 | NDCC 28–32–02(3), (4); NDAC 69–05.2–01–02, –03(4), (5), (7), –04–01(5)(b), –05–06(1), (1d), –06–01, –02(3) through (6), –08–05(2), (2C), (2e), –09(3b), –15–09–01(4), –06(1), (2), –09(1)(c)(7–8), (1)(e), (2)(c through e), (h), –17(1), (2), –19(1), –10–03, –05(3a, e), –11–03, –12–01(4), (10), –12(3), –18, –20, –13–08(2) through (6), –12(4), –13, –15–04(4)(a)(2)(c), –16–03, –07(2a), –09(9), (17), (18), (20), –12(1), –14(3), –20, –17–01(2), –05(1), –18–01, –12(f), –20–03(1b, d), (3), –22–07(4)(e) through (i), –23–01, –24–01–09, –25–03(2), (4), –26–05, (3), –28–03, (7), 16 through 18. |
| June 12, 1991, November 19, 1991. | August 20, 1992 | NDCC 38–12.1–03–2.b, –05–2.d; 38–14.1–02–33.a, –24.13.a, –30.3.c through g(1), (2); NDAC 43–02–01–18.1, –20; 69–05.2–01–01–3, –05–08, –08–01, –02; 69–05.2–08, –10.1a, –12; –09–04, –09, –10, –11, –14, –17, –10–02, –11–01.5, 02, –12–01, –05 through –08, –12–11, –12, –14, –16, –13–06, –08, –14–01, –15–02, –16–04, –06, –12, –22–07, –25–03, –04; 69–05.2–32, –32–01.1.b. |
| April 21, 1993 | March 15, 1994, July 22, 1994. | NDAC 69–05.2–06–02(3), –09–01(4), –10–03(1), (1)(a), (4), –13–02(4)(e), –08(3) through (6), –15–04(3), –16–09 (13), (14), (16), –20–03(3), (4); NDCC 38–14.1–21(5), –24(13)(e), –37(2), (a) through (f), (3) through (6); 38–12.1–04(1)(a); 43–02–01–05, –20.3(c)(2); 43–02–01–05. |
| October 22, 1993 | July 22, 1994 | NDAC 69–05.2–17–02, –29–01(2), –02(1)(a), (b), –03(2), (5), –04, –05, –06(1)(a), –07(1), –08(1)(a) through (e), (2). |
| November 10, 1994 .. | April 13, 1995 | NDAC 69–05.2–04–07(3)(a), –05–09, –06–01(2), –02(6), –10–03(5), –11–01(1)(d), –03(5)(c), –06(1)(c), –12–09(2), –15–02(2a), –16–09(7), (20), –21–01(2), –28–03(6). |
| February 17, 1994 | July 14, 1995 | Policy document entitled “Standards for Evaluation of Revegetation Success and Recommended Procedures for Pre- and Postmining Vegetation Assessments”. |
| March 20, 1996 | April 28, 1997 | NDAC 69–05.2–09–02.8 –13–02, –15–04.4a(2)(c, –19–04.2, 3, –22–07.3.c, 4.d, 4.i, –26–05.3.c; 69–05, 22–07.4.j, .k; changes to new names of U.S. Natural Resource Conservation Service and the North Dakota Department of Health. |
| May 2, 1997 | August 25, 1997 | NDCC 38–14.1–04.1, .2, .3. |
| April 12, 1995 | September 16, 1998 | Statute: NDCC 38–14.1–37(4); NDCC 38–12.1–08; Rule: NDAC 43–02–01. |
| April 9, 1998 | January 8, 1999 | Revegetation Success Policy Doc. II–C, Prime Farmlands standards. II–F, Woodlands cover standards. II–H, Wetlands standards. II–I, Recreational land use standards for tree and shrub stocking. III–D, Methods for sampling woodland cover. |
| August 29, 1997 | March 16, 1999 | Rules: NDAC 69–05.2–13–01; NDAC 69–05.2–22–07.4.1; NDAC 69–05.2–28–19. |
| March 31, 1999 | July 20, 1999 | NDCC 38–14.1–30.3.f. |

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| Original amendment submission date | Date of final publication | Citation/description |
|------------------------------------|---------------------------|--|
| September 2, 1998 ... | November 8, 1999 .. | NDAC 69-05.2-90 NDAC 69-05.2-01-03 NDAC 69-05.2-05-09 NDAC 69-05.2-09-09 NDAC 69-05.2-13-02 NDAC 69-05.2-13-08 NDAC 69-05.2-15-02 NDAC 69-05.2-15-04 NDAC 69-05.2-16-09 NDAC 69-05.2-19-04 |
| June 20, 2000 | March 2, 2001 | NDAC 69-05.2-01-03; NDCC 28-32 NDAC 69-05.2-09.15.8 NDAC 69-05.2-10-03.6.c NDAC 69-05.2-12-09 NDAC 69-05.2-12-12.2 NDAC 69-05.2-16-05 NDAC 69-05.2-22-07.4.1 NDAC 69-05.2-26-05.3 NDAC 69-05.2-29-03 |
| March 16, 2000 | May 17, 2001 | Standards for Evaluation of Revegetation Success and Recommended Procedures for Pre- and Postmining Vegetation Assessments. |
| May 9, 2001 | November 16, 2001 | NDCC 38-14.1 |

[62 FR 9948, Mar. 5, 1997, as amended at 62 FR 22894, Apr. 28, 1997; 62 FR 44900, Aug. 25, 1997; 63 FR 49434, Sept. 16, 1998; 64 FR 1130, Jan. 8, 1999; 64 FR 12900, Mar. 16, 1999; 64 FR 38827, July 20, 1999; 64 FR 60659, Nov. 8, 1999; 66 FR 13020, Mar. 2, 2001; 66 FR 27459, May 17, 2001; 66 FR 57662, Nov. 16, 2001]

§ 934.16 Required program amendments.

Pursuant to 30 CFR 732.17(f)(1), North Dakota is required to submit to OSM by the specified date the following written, proposed program amendment, or a description of an amendment to be proposed that meets the requirements of SMCRA and 30 CFR Chapter VII and a timetable for enactment that is consistent with North Dakota's established administrative or legislative procedures.

(a)-(cc) [Reserved]

[53 FR 2840, Feb. 2, 1988, as amended at 54 FR 10145, Mar. 10, 1989; 55 FR 1819, Jan. 19, 1990; 57 FR 827, Jan. 9, 1992; 59 FR 11933, Mar. 15, 1994; 59 FR 37431, July 22, 1994; 60 FR 18745, Apr. 13, 1995; 60 FR 36223, July 14, 1995; 62 FR 22895, Apr. 28, 1997; 63 FR 49434, Sept. 16, 1998; 64 FR 1130, Jan. 8, 1999; 64 FR 60660, Nov. 8, 1999]

§ 934.20 Approval of North Dakota abandoned mine plan.

The North Dakota Abandoned Mine Plan as submitted on July 28, 1981, is

approved. Copies of the approved program are available at:

Casper Field Office, Office of Surface Mining Reclamation and Enforcement, 100 East B Street, room 2128, Casper, WY 82601-1918; Telephone: (307) 261-5776.

North Dakota Public Service Commission, Abandoned Mine Land Division, State Capitol, Bismarck, ND 58505; Telephone: (701) 224-4096.

[57 FR 33116, July 27, 1992]

§ 934.25 Approval of North Dakota abandoned mine land reclamation plan amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

| Original amendment submission date | Date of final publication | Citation/description |
|------------------------------------|---------------------------|--|
| March 4, 1983 | June 24, 1983 | Definition of reclamation terms; right of entry; land acquisition, management, and disposition; other policies and procedures. |
| September 15, 1987 | June 16, 1988 | Revision of administrative and management structure of the approved North Dakota Plan. |